**South Carolina General Assembly**

118th Session, 2009-2010

**H. 4240**

**STATUS INFORMATION**

Joint Resolution

Sponsors: Reps. Duncan, Long, Wylie, Haley and Willis

Document Path: l:\council\bills\nbd\11569htc10.docx

Companion/Similar bill(s): 4181, 4825

Introduced in the House on January 12, 2010

Currently residing in the House Committee on **Judiciary**

Summary: Health care services

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/15/2009 House Prefiled

12/15/2009 House Referred to Committee on **Judiciary**

1/12/2010 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2010\01-12-10.docx)‑41

1/12/2010 House Referred to Committee on **Judiciary** [HJ](file:///h:\HJ%20Archive\2010\01-12-10.docx)‑41

3/23/2010 House Member(s) request name added as sponsor: Haley, Willis

**VERSIONS OF THIS BILL**

[12/15/2009](file:///p:\pprever\2009-10\4240_20091215.docx)

**A** **JOINT RESOLUTION**

PROPOSING AN AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE “DECLARATION OF RIGHTS”, SO AS TO ADD A NEW SECTION PROHIBITING THE ENACTMENT OF ANY LAW THAT RESTRICTS AN INDIVIDUAL’S FREEDOM OF CHOICE OF PRIVATE HEALTH CARE SYSTEMS OR PRIVATE HEALTH INSURANCE PLANS OR THAT INTERFERES WITH AN INDIVIDUAL’S OR ENTITY’S ABILITY TO PAY DIRECTLY FOR LAWFUL MEDICAL SERVICES OR THAT IMPOSES A FINE OR PENALTY OF ANY TYPE FOR CHOOSING TO OBTAIN OR DECLINE HEALTH CARE COVERAGE OR FOR PARTICIPATING IN ANY PARTICULAR HEALTH CARE SYSTEM OR PLAN.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. It is proposed that Article I of the Constitution of this State be amended by adding:

“Section 25. No law may be enacted that restricts an individual’s freedom of choice of private health care systems or private health insurance plans of any type. No law may be enacted that interferes with an individual’s or entity’s right to pay directly for lawful medical services. No law may be enacted imposing a penalty or fine, of any type, for choosing to obtain or decline health care coverage or for participation in any particular health care system or plan.”

SECTION 2. The proposed amendment must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

“Must Article I of the Constitution of this State, relating to the Declaration of Rights, be amended so as to add a new section prohibiting the enactment of any law that restricts an individual’s freedom of choice of private health care systems or private insurance plans or that interferes with an individual’s or entity’s ability to pay directly for lawful medical services or that imposes a fine or penalty of any type for choosing to obtain or decline health care coverage or for participating in any particular heath care system or plan?

Yes 

No 

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word ‘Yes’, and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word ‘No’.”

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